EXHIBIT B

Declaration of Christopher M. Samis

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
In re:	Chapter 11

AMYRIS, INC., *et al.*,¹ Case No. 23-11131 (TMH)

Debtors. (Jointly Administered)

DECLARATION OF CHRISTOPHER M. SAMIS
OF POTTER ANDERSON & CORROON LLP IN SUPPORT OF THE
APPLICATION OF THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF AMYRIS, INC., ET AL., FOR
ENTRY OF AN ORDER AUTHORIZING THE EMPLOYMENT
AND RETENTION OF POTTER ANDERSON & CORROON LLP
AS DELAWARE COUNSEL, EFFECTIVE AS OF AUGUST 28, 2023

- I, Christopher M. Samis, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:
- 1. I am a member of the firm of Potter Anderson & Corroon LLP ("Potter Anderson"), which maintains an office for the practice of law at 1313 N. Market Street, Wilmington, Delaware 19801. I am an attorney-at-law, duly admitted and in good standing to practice in the State of Delaware and the United States District Court for the District of Delaware.
- 2. I submit this declaration pursuant to section 1103 of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and rules 2014-1 and 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules") in support of the accompanying application (the "Application")²

A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at https://cases.stretto.com/Amyris. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

of the Official Committee of Unsecured Creditors (the "Committee") of Amyris, Inc., *et al.* (collectively, the "Debtors") to employ and retain Potter Anderson as its Delaware counsel.

- 3. Unless otherwise stated in this Declaration, I have personal knowledge of the facts hereinafter set forth. To the extent that any information disclosed herein requires amendment or modification upon Potter Anderson's completion of further analysis or as additional information becomes available to Potter Anderson, a supplemental declaration will be submitted to the Court. Subject to the approval of this Court and in compliance with the applicable provisions of the Bankruptcy Code, Bankruptcy Rules, and Local Rules, Potter Anderson intends to apply for compensation for professional services rendered in connection with these Chapter 11 Cases, plus reimbursement of actual, necessary expenses and other charges incurred by Potter Anderson during these Chapter 11 Cases. The proposed rates of compensation, subject to final Court approval, are the customary hourly rates in effect when services are performed by the attorneys, legal assistants, and staff who provide services to the Committee. These hourly rates are subject to periodic adjustment and the Committee has been advised of that fact.
- 4. The current standard hourly rates charged by Potter Anderson professionals and paraprofessionals to be primarily staffed on this matter are set forth in the chart below:

BILLING CATEGORY	HOURLY RATES
Partners	\$675-865
Associates	\$440-\$575
Paraprofessionals	\$330-\$350

5. The hourly rates set forth above are Potter Anderson's standard hourly rates for work of this nature. These rates are set at a level designed to compensate Potter Anderson fairly for the work of their attorneys and paraprofessionals and to cover fixed and routine overhead expenses. The hourly rates set forth above are subject to periodic adjustments to reflect economic

and other conditions. Other attorneys and paraprofessionals within Potter Anderson may, from time to time, serve the Committee in connection with the matters described herein. Potter Anderson has not received a retainer in connection with its representation of the Committee in these Chapter 11 Cases.

- 6. It is Potter Anderson's policy to charge its clients in all areas of practice for all other expenses incurred in connection with the client's case. The expenses charged to clients include, among other things, telephone and telecopier toll and other charges, regular mail and express mail charges, special or hand delivery charges, document processing, photocopying charges, travel expenses, expenses for "working meals," computerized research, transcription costs as well as non-ordinary overhead expenses such as secretarial and other overtime. Potter Anderson will charge the Committee for these expenses in a manner and at rates consistent with charges made generally to Potter Anderson's other clients or as previously fixed by this Court. Potter Anderson believes that it is more fair to charge these expenses to the clients incurring them than to increase the hourly rates and spread these expenses among all clients.
- 7. Neither I, Potter Anderson, nor any partner, counsel, associate, or other attorney at Potter Anderson, insofar as I have been able to ascertain, has in the past represented the Debtors' largest creditors, any significant beneficiaries of the Debtors (holding 5% or more of the beneficial interest in the Debtors), or any Potential Party in Interest (as defined below), except as set forth herein.
- 8. In preparing this declaration, Potter Anderson has used a set of procedures established by the firm to ensure compliance with the requirements of the Bankruptcy Code and the Bankruptcy Rules regarding retention of professionals by an official committee under the Bankruptcy Code. In that regard, Potter Anderson obtained a list of names and entities from the

Debtors who may be parties in interest in these Chapter 11 Cases, including *inter alia*, the Debtors, non-Debtor affiliates, the Debtors' unsecured creditors, including trade vendors, the Debtors' agents, lenders, and lienholders, equity holders of the Debtors, present and former officers and directors of the Debtors, and other significant parties in interest (the "**Potential Parties in Interest**"). A list of the Potential Parties in Interest is attached hereto as **Exhibit 1**.

- 9. Potter Anderson maintains and systematically updates its conflict check system in the regular course of its business, and it is the regular practice of Potter Anderson to make and maintain these records. The conflict system maintained by Potter Anderson is designed to include (i) every matter on which it is now or has been engaged, (ii) the entity by which it is now or has been engaged, (iii) the identity of related parties, (iv) the identity of adverse parties, and (v) the attorney at Potter Anderson that is knowledgeable about the matter. It is Potter Anderson's policy that no new matter may be accepted or opened within the firm without completing and submitting to those charged with maintaining the conflict check system the information necessary to check each such matter for conflicts, including the identity of the prospective client, the matter and the related and adverse parties. Accordingly, the database is updated for every new matter undertaken by Potter Anderson. The scope of the system is a function of the completeness and accuracy of the information submitted to the attorney opening a new matter.
- 10. Potter Anderson has in the past represented, currently represents, and/or may in the future represent, in matters wholly unrelated to the Debtors or these Chapter 11 Cases, certain Potential Parties in Interest (including, without limitation, those entities set forth on **Exhibit 2**, attached hereto, who are current clients or are affiliates thereof, and those entities or affiliates thereof set forth on **Exhibit 3**, attached hereto, who have been represented by Potter Anderson within the last five (5) years). I do not believe that any single matter is a major engagement that,

alone or in the aggregate with other engagements for the same entity, involves the billing of fees in excess of one percent (1%) of Potter Anderson's fees billed over the past twelve months.

- 11. Going forward, Potter Anderson will represent no entity other than the Committee in connection with these Chapter 11 Cases. However, Potter Anderson may represent a successor in interest to the Committee pursuant to a confirmed plan in these Chapter 11 Cases.
- 12. I do not believe there is any connection or interest (as such terms are used in section 101(14) of the Bankruptcy Code and Bankruptcy Rule 2014(a)) between Potter Anderson and (i) any attorney employed by the Office of the United States for the District of Delaware or (ii) any counsel, accountants, financial consultants, and investment bankers who represent or may represent claimants or other parties in interest in these Chapter 11 Cases. In addition, as part of its practice, Potter Anderson appears in cases, proceedings, and transactions involving many different attorneys, counsel, accountants, financial consultants, and investment bankers, some of which now or may in the future represent claimants and parties in interest in these Chapter 11 Cases. Potter Anderson has not and will not represent any such entities in relation to these Chapter 11 Cases nor have any relationship with any such entities that would be adverse to the Committee or its interests in the matters upon which Potter Anderson is to be employed.
- 13. I am not related to any United States Bankruptcy Judge or District Court Judge for the District of Delaware or to the United States Trustee for such district or any employee in the office thereof. One of Potter Anderson's partners, Kevin Shannon, is the brother of the Honorable Brendan Linehan Shannon, Judge of the United States Bankruptcy Court for the District of Delaware. Potter Anderson has instituted the appropriate measures, consistent with the Code of Conduct for United States Judges, so that Potter Anderson attorneys may appear in front of Judge Shannon. To the best of my knowledge, no other attorney at Potter Anderson is a relative of, or

currently has a connection with, the bankruptcy judges for the District of Delaware that would render the employment of Potter Anderson as Committee counsel improper.

- 14. Except as set forth herein, and based upon the information available to me, neither I, Potter Anderson, nor any partner, counsel or associate thereof, insofar as I have been able to ascertain, (i) is a creditor, an equity security holder, or an insider of the Debtors, (ii) is or was, within two years before the date of the filing of the petition, a director, officer, or employee of the Debtors, or (iii) has an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtors, or for any other reason. Based upon the information available to me, I believe that Potter Anderson is a "disinterested person" as that term is defined in section 101(14) of the Bankruptcy Code.
- 15. No promises have been received by Potter Anderson, or by any partner, counsel or associate thereof, as to compensation in connection with these cases other than in accordance with the provisions of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules. Potter Anderson has no agreement with any other entity to share with such entity any compensation received by Potter Anderson.
- and reimbursement of expenses incurred in connection with these Chapter 11 Cases in compliance with sections 330 and 331 of the Bankruptcy Code and applicable provisions of the Bankruptcy Rules, Local Rules, Interim Compensation Order, and any other applicable procedures and orders of the Court. Potter Anderson also intends to make a reasonable effort to comply with the U.S. Trustee's requests for information and additional disclosures as set forth in the *Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under 11 U.S.C.*

§ 330 by Attorneys in Larger Chapter 11 Cases Effective as of November 1, 2013 (the "Revised UST Guidelines"), both in connection with this application and the interim and final fee application(s) filed by Potter Anderson in these Chapter 11 Cases.

17. The following is provided in response to the requests for additional information set forth in Paragraph D.1. of the Revised UST Guidelines:

Question: Did you agree to any variations from, or alternatives to, your

standard or customary billing arrangements for this engagement?

Response: No.

Question: Do any of the professionals included in this engagement vary their

rate based on the geographic location of the bankruptcy case?

Response: No.

Question: If you represented the client in the 12 months prepetition, disclose

your billing rates and material financial terms for the prepetition engagement, including any adjustments during the 12 months prepetition. If your billing rates and material financial terms have changed postpetition, explain the difference and the reasons for

the difference.

Response: Potter Anderson did not represent the Committee in the 12 months

prepetition. Potter Anderson may represent in the future certain Committee members and/or their affiliates in their capacities as members of official committees in other chapter 11 cases or individually in matters wholly unrelated to these Chapter 11

Cases.

Question: Has your client approved your prospective budget and staffing

plan, and, if so for what budget period?

Response: Potter Anderson expects to develop a budget and staffing plan to

reasonably comply with the U.S. Trustee's request for information and additional disclosures, as to which Potter Anderson reserves all rights. The Committee has approved Potter Anderson's

proposed hourly billing rates.

Date: September 20, 2023 /s/ Christopher M. Samis

Christopher M. Samis (No. 4909)

Exhibit 1¹ **Potential Parties in Interest**

Debtor or Debtor affiliate

AB Technologies LLC

Accessbio LLC

AMF Low Carbon, LLC

Amyris Bio Products Portugal, Unipessoal,

Amyris Biotecnologia do Brasil Ltda

Amyris Clean Beauty Latam Amyris Clean Beauty, Inc. Amyris Eco-Fab LLC

Amyris Europe Trading B.V.

Amyris Fermentacao de Performance Ltda

Amyris Fuels, LLC

Amyris Purificação de Performance do

Brasil Ltda

Amyris Realsweet, LLC Amyris UK Trading Limited

Amyris, Inc.

Amyris-Olika, LLC Aprinnova, LLC

Beauty Labs International Limited Clean Beauty 4U Holdings, LLC

Clean Beauty 4U LLC

Clean Beauty Collaborative, Inc.

DIPA Co., LLC Ecofab, LLC

Interfaces Industria e Comercio de

Cosméticos Ltda MG Empower Limited

Novvi LLC

Onda Beauty Inc.

Total Amyris Bioslutions BV

Upland 1 LLC

Bankruptcy Professionals

Ankura Blank Rome Fenwick & West LLP

Goodwin Procter LLP

Klee Tuchin Bogdanoff & Stern LLP

Latham & Watkins

Pachulski Stang Ziehl & Jones LLP

Paul Hastings

Phil Gund, Chief Restructuring Officer

PwC Stretto

Banks

Bank of the West

Barclays **HSBC**

J.P. Morgan SE

JPMorgan Chase Bank, N.A.

US Bank

Bondholders - Indenture Trustee

U.S. Bank National Association, as Trustee

for Convertible Notes

Director (current)

Ana Dutra Frank Kung Geoffrey Duyk Jim McCann John Doerr

Julie Washington

Lisa Oi

M Freddie Reiss Ryan Panchadsaram Steven Mills

Director (former)

Alexander MS, Ralph C. Arnold Ph.D., Frances Hamilton

The following list was provided to the Committee by Debtors' counsel. The Committee has not independently verified the contents of the list as being a complete and accurate list of all of the potential parties in interest, and the nature of their claims or interests in the Debtors and these Chapter 11 Cases. Additionally, in an abundance of caution the Committee has added Debtors' counsel and Committee professionals as potential parties in interest.

bin Khalifa Al Thani, Sheikh Abdullah

Blanch Ph.D., Harvey W.

Bohlmann Ph.D., Jörg

Boisseau, Philippe

Chua Ph.D., Nam-Hai

de Castro Reinach Ph.D., Fernando

de Oliveira Diniz, Paulo Sergio

Fenical, William H.

Georgiadis, Mary Margaret-Hastings

Goppelsroeder, Christoph G.

Heathcock Ph.D., Clayton H.

Keasling Ph.D., Jay D.

Levinson, Arthur D.

Martin Ph.D., Vincent

Melo, John G.

Newman, Jack D.

Ostrach J.D., Michael S.

Philip Eykerman

Patrick Yang

Pichette, Patrick

Piwnica LLM, Carole Callebaut

Reiling, Kinkead Kinkead

Renninger Ph.D., Neil

Soares Portela, Mario Neutel

Williams, R. Neil

Officer (current)

Alvarez, Eduardo

Dreyer CPA, Elizabeth E.

Kieftenbeld, Hermanus

Officer (former)

Hughes, Anthony

Kelsey, Nicole

Melo, John G.

Valiasek, Kathleen

Insurance

ACE American Insurance Company

Everest Indemnity Insurance Company

Federal Insurance Company

Hiscox

TDC National Assurance Company

Travelers

Underwriters at Lloyd's London

Landlords

3700 Highway 421 Owner LLC

Caliope Realty Associatees LLC

Chodosh Realty Services, Inc

Colliers International

Continental Real Estate Companies

CPI Hospitality LLC

Crown Properties

Design District Development Pa

Design District Development Partners LLC

Design District ERFR LLC & RFR Holding

LLC

Duane Ventures

Emerystation Triangle, LLC

Epic W12 LLC

ES East, LLC

Flowing Water Creek, LLC

Holis R&D Associates

Kaufman Friedman Plotnicki & Grun, LLP

Lachtman Cohen P.C

Larringa Sisters LLC

McDermott Will & Emery LLP

Oak Plaza Associates (DEL), LLC

Olshan Frome Wolosky LLP

Palm Beach Holdings 3940, LLC

Park Wynwood LLC

Shartsis Friese LLP

Stewart Ward & Josephson LLP

TriStar Capital LLC

Weisman, Brodie, Starr & Margolies, P.A.

Lenders

Anesma Group, LLC

Anjo Ventures, LLC

DSM Finance B.V.

Foris Ventures, LLC

Muirisc, LLC

Perrara Ventures, LLC

Lenders' Professionals

Goodwin Procter LLP

Troutman Pepper Hamilton Sanders LLP

Utilities

ACI FLORIDA POWER & LIGHT

Advanced Chemical Transport Inc Advanced Chemical Transport Inc

AT&T

AT&T Mobility LLC AT&T U-verse(SM)

Brunswick County Public Utilities

CloudWyze ConEdison Duke Energy

East Bay Municipal Utility District First Digital Communications, LLC

Garratt-Callahan Company GFL Environmental - Company Linde Gas & Equipment Inc. M&M Sanitation Corporation

NC Division of Waste Management Pacific Gas and Electric Company

Paxio Inc

Piedmont Natural Gas US Waste Industries, Inc.

Verizon Wireless

Waste Management of Alameda County Waste Management of Alameda County Winters Bros Waste Systems

Top 30 Creditors

ADL Biopharma

Allog Transportes Internaciona

Allure Labs, Inc. Cosan US LLC Cosmetix West DB Ventures Ltd.

DSM USA Epic W12 LLC ES East, LLC

Evonik Corporation

Gibson, Dunn & Crutcher LLP Global4PL Supply Chain Services

Hearst Magazine Media Hollis R&D Associates Microsoft Corporation Nest-Filler USA

Nikko Chemicals Co Ltd

Nippon Surfactant Industries Co., Ltd

(Nissa)

Northwest Comsmetics Labs

Outfront Media

Palm beach Holdings 3940 LLC

Park Wynwood, LLC PMG Worldwide, LLC Rakuten Advertising

Sartorius Stedim North America Shearman & Sterling LLP

Todd Shemarya Artists, Inc.

U.S. Bank National Association, as Trustee

for Convertible Notes Wiley Companies Workday, Inc.

Committee Professionals

Potter Anderson & Corroon LLP

White & Case LLP

Trade Vendors

ADL BIOPHARMA

Agilent Technologies Inc

Allog Transportes Internaciona

Allure Labs, Inc. Avalara, Inc.

Berma LLC DBA NoGood Bio Base Europe Pilot Plant

Capsum Inc.

CFGI Holdings, LLC Cigna HealthCare

Colorado Quality Products, LLC

Cosmetix West CPCneutek

DB Ventures Limited

DSM Nutritional Products Ltd

ECS Axcess Point LLC Evonik Corporation Facebook, Inc. Folio3 Software Inc

Fusion Packaging, LLC

Global4PL Supply Chain Services

Hanft Ideas LLC

Hearst Magazine Media JVN Entertainment INC

Little Bear Studios

Mass Construction Corporation

MuteSix, LLC

NB Ventures, Inc.

Nest-Filler USA

Outfront Media

PerkinElmer Informatics Inc.

Perpetua Labs, Inc.

Petty Cash Inc

Pinterest, Inc

PMG Worldwide, LLC

Quiet Logistics, Inc.

Rakuten Advertising

Renfield Manufacturing LLC

RR Donnelley & Sons Company

Sartorius Stedim North America

TargetCW

Todd Shemarya Artists, Inc.

Walmart Inc

Wiley Companies

Wisconsin BioProducts

World Wide Technology, LLC

Litigation

AO Representative Expense Fund, LLC, Austrade Inc.

BaM Productions, Inc. v. Amyris Clean Beauty, Inc.

Disruptional Ltd. and &Vest Beauty Labs LP v. Amyris, Inc.

Ebates Performance Marketing Inc. dba

Rakuten Rewards et al. v.

IN RE AMYRIS, INC. Stockholder

Derivative Litigation (Other Defendants:

Melo, Doerr, Kung, Duyk, Mills and former D&Os)

Jasmina Samardzic v. Amyris, Inc.

Keith Jordan Bronsdon v. Amyris, Inc.

Lavvan Inc. v. Amyris, Inc.

Lavvan, Inc.

Little Bear Studios v. Amyris Clean Beauty et al.

Park Wynwood, LLC v. Amyris, Inc.

PMG Worldwide LLC v. Amyris Clean

Beauty, Inc

Reid Architecture PLLC v. Amyris, Inc.

Roth v. Foris Ventures, LLC et al.

Strukmyer, LLC v. Amyris Clean Beauty, Inc.

Velem LLC v. Amyris Clean Beauty, Inc. Wilkins Media, LLC, v. Amyris, Inc.

Ziegelman et al. v. Amyris, Inc.

Ordinary Course Professionals

Accell Global Risk Solutions, Inc.

Accenture LLP

CFGI Holdings, LLC

Clark & Elbing LLP

Cowen & Company LLC

Deloitte Consulting, LLP

Deloitte Tax LLP

Duff & Phelps LLC

Fish & Richardson P.C.

Global Retirement Partners, LLC

Hanson Bridgett LLP

Hulst & Handler LLP

Macias Gini & O'Connell LLP

Michael Herrinton

Oppenheimer & Co. Inc.

Shipman & Goodwin LLP

Squire Patton Boggs

Other Professionals

Deloitte Consulting, LLP

Fish & Richardson P.C.

Gibson, Dunn & Crutcher LLP

Macias Gini & O'Connell LLP

Shearman & Sterling LLP

Taxing Authorities

Alabama Department of Revenue

Brunswick County Revenue Dept.

California Department of Tax

City of Emeryville

DC Treasurer

Delaware Secretary of State

HMRC Birmingham Stamp Office

Internal Revenue Service Center

NCDOR

New York State Corporation Tax

North Carolina Dept of Revenue

North Carolina Secretary of State

NYC Department of Finance
Oklahoma Tax Commission - Franchise
Pinheironeto Advogados
State of California Franchise Tax Board
State of New Jersey
Texas Comptroller of Public Accts
The Commonwealth of Massachusetts
United States Small Business Admin
United States Treasury
Wyoming Department of Revenue

5% or More Equity Holders

Foris, Ventures, LLC

Ad Hoc Noteholder

Braidwell Partners Master Fund LP
Context Capital Management, LLC
D. E. Shaw Valence Portfolios, L.L.C.
DLD Asset Management
Lazard Asset Management LLC
Linden Advisors LP
Schottenfeld Management Corp.
Silverback Asset Management, LLC
Wolverine Flagship Fund Trading Limited

Government/Regulatory Agencies

DEA

Department of Agriculture

EPA

FDA

US Environmental Protection Agency

U.S. Trustee Office

Benjamin Hackman Christine Green Diane Giordano

Dion Wynn

Edith A. Serrano

Hannah M. McCollum

Holly Dice

James R. O'Malley

Jane Leamy

Joseph Cudia

Joseph McMahon

Juliet Sarkessian

Lauren Attix

Linda Casey

Linda Richenderfer

Nyanquoi Jones

Richard Schepacarter

Rosa Sierra-Fox

Shakima L. Dortch

Timothy J. Fox, Jr.

Bankruptcy Judges

Chief Judge Laurie Selber Silverstein

Judge Ashely M. Chan

Judge Brendan L. Shannon

Judge Craig T. Goldblatt

Judge J. Kate Stickles

Judge John T. Dorsey

Judge Karen B. Owens

Judge Mary F. Walrath

Judge Thomas M. Horan

Exhibit 2 – Current Clients^{1, 2}

Accenture plc Deloitte Financial Advisory GmbH Fenwick & West LLP Barclays Bank PLC Morris James

Parties that are both current clients and former clients of Potter Anderson are listed only on Exhibit 2 – Current Clients.

Due to the similarity of names and certain entities, Potter Anderson was not able to determine if all the entities listed herein are actually affiliates of certain clients. However, out of an abundance of caution, Potter Anderson has listed those entities which it reasonably believes to be affiliates of current clients.

Exhibit 3 – Former Clients¹

Agilent Technologies Inc. Paul Hastings LLP

Due to the similarity of names and certain entities, Potter Anderson was not able to determine if all the entities listed herein are actually affiliates of certain clients. However, out of an abundance of caution Potter Anderson has listed those entities which it reasonably believes to be affiliates of former clients.